

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 I3, Closed Area No. 42-D, Red Point, Swan's Island; promulgated on September 19, 1991, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 I3, Closed Area No. 42-D, Red Point, Swan's Island.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from all shores, flats and waters of Swan's Island that are situated westerly of a line beginning at the mouth of the Goose Pond mountain stream, running to the southwestern tip of West Sister Island, then running to an unnamed point at the eastern end of Hero Beach.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: April 9, 2001

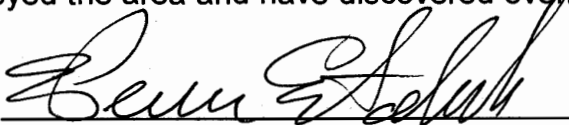
AGENCY CONTACT PERSON: Amy Fitzpatrick,
Department of Marine Resources
194 McKown Point
Boothbay Harbor, Maine 04575

BANGOR DAILY NEWS
April 12, 2001

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.04 I3, Closed Area No. 42-D, Red Point, Swan's Island; promulgated on September 19, 1991, and replaces it with a new regulation that increases the size of the old closure.

Department personnel have surveyed the area and have discovered overboard discharges not covered by the original closure.


E. PENN ESTABROOK,
DEPUTY COMMISSIONER



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Swan's Island

C42D Red Point, Swan's Island.

4/6/01

